

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THE RELIZON COMPANY, et al.,

Plaintiffs,

:

Case No. 3:10-cv-145

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

:

CRAIG W. SEYBOLD, et al.,

Defendants.

**DECISION AND ORDER REQUIRING DEFENDANT NEUFELD TO OBTAIN
COUNSEL**

This case is before the Court upon receipt of correspondence from Defendant Neufeld's health care providers advising that she cannot proceed *pro se* in this case, that to do so is "contraindicated"¹ by her psychological condition. Ordinarily a party may proceed in federal court *pro se* if he or she wishes to do so, but that privilege is subject to exception when a party's *pro se* status prevents the case from being litigated.

It is accordingly ORDERED that Defendant Neufeld retain counsel to represent her in this case and cause said counsel to enter an appearance not later than January 15, 2012. In selecting counsel, Ms. Neufeld is reminded of S. D. Ohio Civ. R. 83.4(a) which provides in pertinent part:

Unless otherwise ordered, in all actions filed in, transferred to or removed to this Court, all parties other than *pro se* parties must be represented at all times by a "trial attorney" who is a permanent

¹ The one-page letter was faxed to the Court on December 22, 2011. There is no indication that copies were sent to counsel for the other parties. The Court has filed the document under seal to protect Ms. Neufeld's privacy interests in her medical information, but assumes the document was sent to the Court with her permission. At this point the document has been filed *ex parte*, but the Court will release it to counsel for other parties on their request.

member of the bar of this Court in good standing. ... Admission *pro hac vice* does not entitle an attorney to appear as a party's trial attorney, but the Court may, in its discretion and upon motion that shows good cause, permit an attorney who has been so admitted to act as a trial attorney.

January 2, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge